IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
Writ Petition No.7651 of 2007

M/s. Sarjan Realities Limited ..Petitioner

versus

Shri Bhagwan Dhondi Naikwadi
& Others ..Respondents

Mr.P.S.Dani for the Petitioner
Mr.G.S.Godbole for the respondent.

Coram : S.C.Dharmadhikari, J.
Dated : 6th Dec., 2007

P.C.

1. Heard learned counsel appearing for the parties. There is no reason to interfere with the impugned order which rejects the application by the petitioner-original defendant in the suit of the respondent. In any event, nothing has been brought out to show that the machineries are still lying at the site or that there is no other mode of getting the same down from the hill top. Therefore, it cannot be said that the trial courts refusal to assist the petitioners is in any way arbitrary or perverse or otherwise vitiated so as to call for interference under Article 227 of the Constitution of India. Petition is dismissed.

(S.C.Dharmadhikari, J.)